

**A REGULAR MEETING
OF
THE PUBLIC SERVICE COMMISSION**

1. A Regular Meeting was called to order by Chair Winslow in the Hearing Room, 861 Silver Lake Boulevard, Dover, Delaware, on Tuesday, September 22, 2015, at 1:00 p.m. with the following Commissioners in attendance: Joann Conaway, Harold Gray, Mike Karia, and Kim Drexler.

The following Staff members were in attendance: Brenda Mayrack, Deputy Attorney General, Julie “Jo” Donoghue, Deputy Attorney General, Robert Howatt, Matthew Hartigan, John Farber, Lisa Driggins, Jason Smith, Toni Loper, Malika Davis, Pamela Knotts, Donna Nickerson and Leda Banning.

2. Commissioner Conaway motioned to approve the meeting minutes from the August 18, 2015 meeting with amendments; seconded by Commissioner Gray; motion carried unanimously.

Commissioner Conaway motioned to approve the meeting minutes from the September 8, 2015 meeting as presented; seconded by Commissioner Karia; motion carried 3-0. Commissioners Gray and Drexler abstained.

3. CONSENT AGENDA ITEMS:

A motion was made by Commissioner Drexler to adopt the following Consent Agenda items:

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* § 203C (FILED FEBURARY 13, 2009) (“SOUTHERN NEW CASTLE COUNTY 2008”) – PSC DOCKET NO. 09-CPCN-04

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. TO ABANDON UNDER 26 *DEL. C.* § 203A (d) WATER SERVICES PROVIDE UNDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (SUBMITTED APRIL 28, 2015; FILED AUGUST 14, 2015) – PSC DOCKET NO. 15-0956

Commission to consider Staff Memorandum and proposed Order No. 8791.

IN THE MATTER OF THE APPLICATION OF BRIGHTERGY, LLC TO PROVIDE ELECTRIC BROKER SERVICES IN THE STATE OF DELAWARE (FILED JULY 31, 2015) – PSC DOCKET NO. 15-1177

Commission to consider Staff Memorandum and proposed Order No. 8788.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT TARIFF FOR OCTOBER 2015 – PSC DOCKET NO. 15-1334

Commission to consider Staff Memorandum and proposed Order No. 8784.

The motion was seconded by Commissioner Karia; the motion carried unanimously.

4. REGULAR AGENDA ITEMS:

IN THE MATTER OF THE ADOPTION OF RULES AND REGULATIONS GOVERNING THE PROCEDURE FOR INSPECTION AND COPYING OF PUBLIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT, 29 *DEL C.* §§ 10001-10006 (OPENED AUGUST 17, 2010; REOPENED MAY 10, 2011; REOPENED NOVEMBER 8, 2011 – PSC REGULATION DOCKET NO. 62

Brenda Mayrack, Esquire, appeared on behalf of Staff.

Regina Iorii, Esquire, and Dave Bonar appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Karia and seconded by Commissioner Gray, to adopt Order No. 8790 with final changes; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF CHESAPEAKE UTILITIES CORPORATION FOR APPROVAL OF A CHANGE IN ITS GAS SALES SERVICE RATES (“GSR”) TO BE EFFECTIVE NOVEMBER 1, 2015 (FILED SEPTEMBER 1, 2015) – PSC DOCKET NO. 15-1362

Regina Iorii, Esquire, and Dave Bonar appeared on behalf of the Division of the Public Advocate.

Brenda Mayrack, Esquire, and Jason Smith appeared on behalf of Staff.

William O’Brien, Esquire, appeared on behalf of Chesapeake Utilities Corporation.

A motion was made by Commissioner Conaway and seconded by Commissioner Drexler, to adopt Order No. 8792; the motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF TOWN OF FELTON FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE
WATER SERVICES PURSUANT TO 26 DEL. C. §203C (“PASKEY PROPERTY”)
(SUBMITTED JUNE 6, 2015; FILED AUGUST 25, 2015) – PSC DOCKET
NO. 15-1029

Julie “Jo” Donoghue, Esquire, and Lisa Driggins appeared on behalf of Staff.

Regina Iorii, Esquire, and Dave Bonar, appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Drexler and seconded by Commissioner Conaway, to adopt Order No. 8796; the motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE REQUEST FOR APPROVAL OF STANDARD OFFER
SERVICE RATES, PROCUREMENT COST ADJUSTMENT AND RARM FILING
(FILED APRIL 1, 2015 – PSC DOCKET NO. 15-0889)

Brenda Mayrack, Esquire, and Pamela Knotts appeared on behalf of Staff.

Regina Iorii, Esquire, and Dave Bonar, appeared on behalf of the Division of the Public Advocate.

Pamela Scott, Esquire, and Cynthia Nowell, Energy Procurement Manager, appeared on behalf of Delmarva Power & Light Company.

A motion was made by Commissioner Conaway and seconded by Commissioner Gray, to adopt Order No. 8795; the motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF GOOD ENERGY L.P. FOR A
CERTIFICATE TO PROVIDE ELECTRIC SUPPLY SERVICES WITHIN THE STATE
OF DELAWARE (SUBMITTED DECEMBER 19, 2014; FILED JUNE 5, 2015) – PSC
DOCKET NO. 14-0582

Julie “Jo” Donoghue, Esquire, and Toni Loper appeared on behalf of Staff.

Regina Iorii, Esquire, and Dave Bonar, appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Conaway and seconded by Commissioner Drexler, to accept notice of withdrawal of application; the motion carried 4-0, Commissioner Gray abstained.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF VERIZON DELAWARE LLC’S ANNUAL FILING OF THE
FCC FORM 481 (FILED JULY 14, 2015) – PSC DOCKET NO. 15-1118

Brenda Mayrack, Esquire appeared on behalf of Staff.

Regina Iorii, Esquire, and Dave Bonar, appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Gray and seconded by Commissioner Karia, to approve compliance and certification letter to be sent by Executive Director Howatt; the motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT
COMPANY FOR AN ANNUAL UPDATE IN THE GAS ENVIRONMENTAL
SURCHARGE RIDER RATE (FILED AUGUST 26, 2015) – PSC DOCKET
NO. 15-1333

Brenda Mayrack, Esquire appeared on behalf of Staff.

Regina Iorii, Esquire, and Dave Bonar, appeared on behalf of the Division of the Public Advocate.

Pamela Scott, Esquire appeared on behalf of Delmarva Power & Light Company.

A motion was made by Commissioner Conaway and seconded by Commissioner Drexler, to adopt Order No. 8786; the motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT
COMPANY FOR APPROVAL OF MODIFICATIONS TO ITS GAS COST RATES
(FILED AUGUST 27, 2015) – PSC DOCKET NO. 15-1355

Brenda Mayrack, Esquire, and Malika Davis appeared on behalf of Staff.

Regina Iorii, Esquire, and Dave Bonar, appeared on behalf of the Division of the Public Advocate.

Pamela Scott, Esquire appeared on behalf of Delmarva Power & Light Company.

A motion was made by Commissioner Gray and seconded by Commissioner Karia, to adopt Order No. 8785; the motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF AMBIT HOLDINGS, LLC OBJECTION TO THE
PRODUCTION OF CERTAIN DOCUMENTS IN RESPONSE TO A FREEDOM OF
INFORMATION ACT REQUEST, FILED AUGUST 12, 2015, BY THOMAS
AHLERING, HAGENS BERMAN SOBOL SHAPIRO LLC, (FILED SEPTEMBER 11,
2015)

Brenda Mayrack, Esquire appeared on behalf of Staff.

Edmond Johnson, Esquire, of Pepper Hamilton, LLP, on behalf of Ambit Holdings, LLC.

A motion was made by Chair Winslow and seconded by Commissioner Gray, that Ambit Holdings, LLC through its counsel, has met burden of proof with respect to the documents that have been agreed upon to be confidential, privileged, proprietary documents and that only the ones that was not so designated be released to the requester; the motion carried unanimously.

5. DIRECTOR'S COMMENTS

Delmarva Power & Light Company updated the Commission on SolutionOne billing issues and interconnection issues.

John Farber updated the Commission on the status of Artificial Island Cost Allocation issues.

John Farber updated the Commission on the status of the proposed settlement in FERC Docket Nos. EL13-48 and EL15-27 to resolve Return on Equity issues for transmission formula rates of BGE & PHI and suggested the Commission move into Executive Session.

A motion was made by Commissioner Conaway and seconded by Commissioner Drexler to move into Executive Session.

Upon returning from Executive Session a motion was made by Commissioner Karia and Seconded by Commissioner Drexler to accept terms of proposed settlement agreement.

Mr. Howatt announced the next Commission meeting would be October 6, 2015.

Mr. Howatt also reminded the Commission that some Commission meeting dates were shuffled to meet prior commitments. November 10th's Commission meeting was changed to November 3, 2015 due to NARUC meetings November 8th through the 11th and the December 15th's meeting date was changed to December 3, 2015.

There was no further business and the meeting adjourned at 3:25 p.m.

Respectfully submitted,

/s/ Donna Nickerson

Secretary